

# EXHIBIT #29

**Richardson, Elmore**

**January 13, 2011**

Page 1

UNITED STATES OF AMERICA  
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
MILWAUKEE DISTRICT OFFICE

- - - - - x

LARRY BOSS	:	EEOC NUMBER:
Complainant	:	443-08-00115X
vs	:	AGENCY NUMBER:
ALPHONSO JACKSON, SECRETARY	:	HUD 00123 2007
DEPARTMENT OF HOUSING &	:	
URBAN DEVELOPMENT	:	
Agency	:	

- - - - - x January 13, 2011

PURSUANT TO NOTICE, the following deposition of ELMORE RICHARDSON was taken via telephone by me, Kathleen S. Wilson, Notary Public, in and for the State of Maryland, at 440 West Randolph Street, Chicago, Illinois 60606, commencing at 12:50 p.m., when were present on behalf of the respective parties:

**Elite Reporting Company, Inc.**  
**67 Saint Andrews Road**

**Severna Park,**

**800-734-3337**  
**Maryland 21146**

**Richardson, Elmore**

**January 13, 2011**

Page 2

1 APPEARANCES

2

3 JAMES L. FUCHS, ESQUIRE

4 Snider and Associates, LLC

5 104 Church Lane

6 Suite 100

7 Baltimore, Maryland 21208

8 (410) 653-9060

9 On Behalf Of The Complainant

10

11 THOMAS G. MASSOURAS, ESQUIRE

12 U.S. Department of Housing and

13 Urban Development

14 Office of the Regional Counsel

15 77 West Jackson Boulevard

16 Room 2622

17 Chicago, Illinois 60604

18 (312) 913-8649

19 On Behalf of the Agency

20

21 ALSO PRESENT - Larry Boss

**Elite Reporting Company, Inc.**  
67 Saint Andrews Road

Severna Park,

**800-734-3337**  
Maryland 21146

Richardson, Elmore

January 13, 2011

Page 3

1

I-N-D-E-X

2

3

WITNESS

4

ELMORE RICHARDSON

5

Examination by Mr. Fuchs

Page 4

6

7

8

9

E-X-H-I-B-I-T-S

10

(None)

11

12

13

14

15

16

17

18

19

20

21

Elite Reporting Company, Inc.  
67 Saint Andrews Road

Severna Park,

800-734-3337  
Maryland 21146

**Richardson, Elmore**

**January 13, 2011**

Page 4

1       Whereupon,

2                               ELMORE RICHARDSON,  
3       was called as a witness by counsel for the  
4       Complainant, Larry Boss, and after having first  
5       been duly sworn by the Notary Reporter, was  
6       examined and testified as follows:

7               THE REPORTER:   Would you state your full  
8       name and address for the record?   And you can give  
9       me your work address is fine.

10              THE WITNESS:   Elmore, E-l-m-o-r-e,  
11       Richardson, 77 West Jackson Boulevard, Chicago,  
12       Illinois 60604.

13              THE REPORTER:   Thank you, very much.

14                               EXAMINATION

15              BY MR. FUCHS:

16              Q.    Good afternoon, Mr. Richardson.   My name  
17       is James Fuchs and I represent Mr. Boss in this  
18       action against HUD.   I'm going to be asking you a  
19       series of questions in what is known as a  
20       deposition.

21              First, sir, have you ever been deposed

Richardson, Elmore

January 13, 2011

Page 31

1 in terms of information from the housing  
2 authorities, capital fund closeouts, on-site  
3 reviews, remote reviews, things that -- letters  
4 that come in and -- from the housing authorities  
5 requesting information, to clarify points or  
6 whatever.

7 Q. Has there ever been a problem that you've  
8 encountered with Mr. Boss, in terms of closeouts?

9 A. Encountered?

10 Q. Have you ever experienced any difficulty  
11 with Mr. Boss concerning closeouts?

12 A. Not difficulty.

13 Q. All right. Yes.

14 A. Not difficulty.

15 Q. Any problems with Mr. Boss in terms of  
16 closeouts?

17 A. Actually, I haven't had any problem with  
18 Mr. Boss, but I'm just finding out that Boss did  
19 not do some closeouts. Somebody else was doing  
20 them.

21 Q. How did you find this out?

Elite Reporting Company, Inc.  
67 Saint Andrews Road

Severna Park,

800-734-3337  
Maryland 21146

Richardson, Elmore

January 13, 2011

Page 32

1           A.   Actually, he said something and I went to  
2           ask the person, "Are you doing the closeouts," and  
3           she said, "Yes."

4           Q.   When you say "he said something," who is  
5           "he"?

6           A.   Boss.

7           Q.   How did you happen to have this  
8           conversation with Mr. Boss?

9           A.   Actually, there was -- there was a letter  
10          that was going out to the housing authorities and  
11          there was an error on the letter. And I gave it  
12          back to him and he, in turn, said, "Oh, this must  
13          be something Alease done."

14          Q.   Now, how did you happen to get this  
15          letter? Is it routine for you to get these  
16          letters before they go out?

17          A.   It is routine for me to get the letters.

18          Q.   So an engineer or somebody else handling  
19          closeouts will send you a letter?

20          A.   Repeat that.

21          Q.   Let me ask you this. What's the nature



Richardson, Elmore

January 13, 2011

Page 33

1 of the letter exactly?

2 A. The nature of the letter is to tell the  
3 housing authorities that they need to -- that the  
4 capital funds report that they are saying with the  
5 amount is okay and that they need to have this  
6 information approved by the auditor the next time  
7 they have an audit.

8 Q. All right. And there is a letter like  
9 this for each housing authority?

10 A. When they get ready to close out their --  
11 right.

12 Q. And at some point you received a copy of  
13 a letter for one housing authority or more than  
14 one housing authority?

15 A. I -- in this particular case, it was more  
16 than one housing authority.

17 Q. Which housing authorities were involved?

18 A. I don't remember that.

19 Q. So you received more than one letter?

20 A. Uh-huh.

21 Q. How many letters did you receive? Do you



**Richardson, Elmore**

**January 13, 2011**

Page 50

1           Q.    Do you remember what was involved in the  
2           training?

3           A.    No.

4           Q.    Did you take notes at the time?

5           A.    No.

6           Q.    Do you remember if anyone was taking  
7           notes at the time?

8           A.    No.  I don't remember if anyone was  
9           taking notes.

10          Q.    Do you remember exactly, approximately,  
11          or precisely when this was?

12          A.    No.

13          Q.    Would it have been more than a year ago?

14          A.    Probably, but I'm not sure.  It could  
15          have been in 2009, but I'm not sure.

16          Q.    Did anyone comment on the training after  
17          it took place?

18          A.    I don't remember.

19          Q.    Do you remember how you became aware that  
20          there would be this training?

21          A.    Probably -- and I say probably -- from an

**Richardson, Elmore**

**January 13, 2011**

Page 51

1 e-mail from Steve that we had to go to a training.

2 Q. Do you remember what the e-mail said?

3 A. No.

4 Q. Prior to the training, did you discuss it  
5 with Mr. Meiss or with Ms. Ladias?

6 A. No.

7 Q. And at the training, was there any  
8 discussion of any follow-up to the training?

9 A. I don't recall.

10 Q. During the training, do you remember if  
11 Mr. Boss' name came up?

12 A. I don't think so. No.

13 Q. Did you somehow become aware that the  
14 training was related to Mr. Boss' complaint and  
15 the resolution of that complaint?

16 A. I don't -- I don't know.

17 Q. But did you know that?

18 A. To know, because we had the training was  
19 because of the Boss case?

20 Q. Yes.

21 A. No, I don't know that.

**Richardson, Elmore**

**January 13, 2011**

Page 52

1           Q.    Okay.  So no one ever mentioned that or  
2   discussed it?

3           A.    No.

4           Q.    All right.  Did you and Mr. Boss ever  
5   have any discussion about EEO matters or  
6   discrimination?

7           A.    No.

8           Q.    Did Mr. Boss ever challenge any of your  
9   orders?

10          A.    Yes.

11          Q.    Tell me about that.

12          A.    We were required to give six months --  
13   training for staff.  And Mr. Boss was assigned to  
14   give training on one of the topics.

15          Q.    On what topic was Mr. Boss assigned to  
16   give training?

17          A.    EPC, energy performance contracts.

18          Q.    Who made the decision that Mr. Boss was  
19   to give that training?

20          A.    Mr. -- Steve.  Mr. Meiss.

21          Q.    Did Mr. Meiss speak to you -- did Mr.

Richardson, Elmore

January 13, 2011

Page 53

1 Meiss speak to you in advance before it was  
2 decided that Mr. Boss would be giving that  
3 training?

4 A. I don't recall if he did or not.

5 Q. Do you remember if Mr. Meiss explained  
6 his reasons for having Mr. Boss give that  
7 training?

8 A. No. Probably other than -- no. I don't  
9 remember.

10 Q. Did you know whether Mr. Boss was  
11 equipped to provide that training?

12 A. Yes.

13 Q. You did know?

14 A. Right.

15 Q. And how did you know?

16 A. It's energy performance contract and I  
17 know that he has dealt with energy performance  
18 contract with the housing authority of Elgin and  
19 also Champaign.

20 Q. Was this while you were supervising him?

21 A. Yes.

**Richardson, Elmore**

**January 13, 2011**

Page 54

1           Q.    What exactly had he done with Elgin that  
2           made him qualified to provide this training?

3           A.    Other than talking with the housing  
4           authority and remind them what they are supposed  
5           to do on the energy performance contract, and in  
6           the information, that's it.

7                    I said Champaign, but it's not Champaign.  
8           It would be Elgin Housing Authority.

9           Q.    So Elgin and Joliet, you said?

10          A.    I said Champaign, but I don't think it  
11          was Champaign. Champaign was something else.

12          Q.    Okay. So, what was at Champaign?

13          A.    I got it confused. There was nothing in  
14          Champaign that I know of for energy performance.

15          Q.    So energy performance was in Elgin and --

16          A.    Elgin Housing Authority, yes.

17          Q.    Elgin Housing. Any other housing  
18          authority?

19          A.    The other housing authorities would have  
20          energy performance contracts, but I don't know the  
21          name of the housing authorities.

**Richardson, Elmore**

**January 13, 2011**

Page 65

1 A. Had to do what?

2 Q. With the training.

3 A. Right.

4 Q. Was this before or after the conversation  
5 you have described to me?

6 A. I think it was after. It could have been  
7 before, but I -- I don't remember.

8 Q. Did Mr. Termunde say that there would be  
9 problems with his doing the training?

10 A. I don't know. He didn't tell me.

11 Q. Did that training take place?

12 A. Yes.

13 Q. Do you know how long the training took?

14 A. Probably about an hour. It could have  
15 been less. I don't know. I was not there.

16 Q. Were there materials for preparing for  
17 the training, as far as you know?

18 A. I don't know.

19 Q. After Ms. Ladas was no longer  
20 supervising Mr. Boss, did you ever get any  
21 assignments from Ms. Ladas concerning Mr. Boss?



**Richardson, Elmore**

**January 13, 2011**

Page 66

1 A. No.

2 Q. Have you ever looked at Mr. Boss' job  
3 description?

4 A. Yes.

5 Q. And do you remember whether or not you  
6 looked at his job description when this training  
7 was discussed?

8 A. No.

9 Q. You don't remember or you didn't?

10 A. I didn't.

11 Q. Can you briefly summarize Mr. Boss' job  
12 description, as you sit here today?

13 A. Summarize it that engineers deal with the  
14 maintenance department of the housing authorities.

15 Q. Anything else?

16 A. That they could be dealing with the  
17 maintenance department, capital funds, on-site  
18 reviews, which still would be dealing with the  
19 maintenance department.

20 Q. Anything else?

21 A. That's it.